



BEFORE THE ARIZONA CORPORATION COMMISSION

BOB STUMP
Chairman
GARY PIERCE
Commissioner
BRENDA BURNS
Commissioner
BOB BURNS
Commissioner
SUSAN BITTER SMITH
Commissioner

Arizona Corporation Commission
DOCKETED

JUN 20 2014

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IN THE MATTER OF THE APPLICATION
OF CENTURYLINK PUBLIC
COMMUNICATIONS, INC. FOR
APPROVAL OF THE INITIAL
INSTITUTIONAL
TELECOMMUNICATIONS TARIFF.

DOCKET NO. T-03555A-14-0142

DECISION NO. 74557

ORDER

Open Meeting
June 10 and 11, 2014
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. On April 25, 2014, CenturyLink Public Communications, Inc. ("CPC") filed its initial Institutional Telecommunications Tariff. The proposed tariff contains the rates, terms and conditions for CPC's provision of Inmate Communications Services.

2. On April 29, 2014, CPC filed a letter in which it agreed to extend the 30 day statutory requirement for Commission approval of its filing until and including June 11, 2014.

3. On April 25, 2014, CPC filed an Application for approval of the Special (Non-Streamlined) Customer Owned Pay Telephone ("COPT") the proposed tariff filed and for a waiver of the generic COPT tariff provisions that conflict with CPC's proposed Special COPT Tariff. In this Application, CPC states:

A. That it has a Generic (Streamlined) COPT Tariff on file with the Commission that permits CenturyLink to provide traditional pay telephone service in Arizona,

- 1 B. That it seeks to provide pay telephone service to inmates of correctional institutions in
2 Arizona,
3 C. That CPC presently provides inmate calling services in various correctional institutions
4 throughout the United States but does not presently provide inmate calling services in
5 Arizona,
6 D. That CPC requires a Special (Non-Streamlined) COPT Tariff in order to compete to
7 provide pay telephone service to inmates at correctional institutions in Arizona and
8 E. That CPC requests that the Commission approve the Special (Non-Streamlined)
9 COPT Tariff filed by CPC in this matter and also grant it a waiver of the
10 Commission's Generic (Streamlined) COPT Tariff requirements that conflict with the
11 terms of the proposed Special COPT Tariff.

12 4. CPC is currently certificated to provide COPT service under the terms of the Generic
13 COPT tariff.¹ The Generic COPT tariff contains the rates terms and conditions determined by the
14 Commission to be appropriate for the provision of COPT service. The tariff contains Commission-
15 approved provisions related to the rates and charges for calls, the ability to access alternative providers
16 of long distance calls, instructions on how to make calls, the duration of local calls, the provision of
17 911 and directory assistance, payment methods and the provision of operator services. Under the
18 terms and conditions of the Generic COPT Tariff, COPT Operator Assistance charges may not
19 exceed those for the certificated local exchange carrier or any carrier certificated to provide
20 interexchange operator services to that location.

21 5. CPC proposes to offer Collect/Post-Paid and Prepaid Services. Collect/Post-Paid
22 Service is the traditional collect calling option where the called party is billed for the call. CPC
23 proposes two prepaid calling options. They are Debit Service where funds are transferred to an
24 Inmate's account and funds are deducted for calls that are completed and Prepaid Collect Services
25 where the called party sets up an account that is linked to a credit card, debit card, payments through
26 retail outlets, electronic checks, customer payments and payments through Western Union.

27 6. CPC's proposed calling rates are as follows:
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¹ Decision No. 61049, dated August 6, 1998.

1	4.1.I Institutional Collect Calling Rates	
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3	Local Usage Charge, Per Call:	\$0.50
4	Local Service Charge, Per Call:	\$1.50
5	IntraLATA Usage Charge, Per Minute:	\$0.30
6	IntraLATA Service Charge, Per Call:	\$3.00
7	InterLATA Usage Charge, Per Minute:	\$0.30
8	InterLATA Service Charge, Per Call:	\$3.00
9		
10	4.1.2 Institutional Prepaid Collect Calling Rates	
11		
12	Local Usage Charge, Per Call:	\$0.50
13	Local Service Charge, Per Call:	\$1.50
14	IntraLATA Usage Charge, Per Minute:	\$0.30
15	IntraLATA Service Charge, Per Call:	\$2.50
16	InterLATA Usage Charge, Per Minute:	\$0.30
17	InterLATA Service Charge, Per Call:	\$2.50
18		
19	4.1.3 Institutional Debit Calling Rates	
20		
21	Local Usage Charge, Per Call:	\$0.50
22	Local Service Charge, Per Call:	\$1.50
23	IntraLATA Usage Charge, Per Minute:	\$0.30
24	IntraLATA Service Charge, Per Call:	\$2.50
25	InterLATA Usage Charge, Per Minute:	\$0.30
26	InterLATA Service Charge, Per Call:	\$2.50

7. CPC originally proposed to include a provision in its tariff that would allow it to negotiate with prospective customers for the provision of any competitive telecommunications service and offer or agree to provide such service on such terms and for such rates and charges as it deemed reasonable, without regard to its tariff. If approved as submitted, CPC would be able to enter into contracts to charge rates that are higher than those reflected in its tariff. On May 21, 2014, CPC filed revisions to its proposed tariff to include maximum rates and indicate that the rates for services provided under contract would be subject to the maximum rates included in its tariff. The proposed maximum rates for all types of calls (\$4.50 service charge per call, \$0.58 per minute for long distance calls and \$0.58 per local call) are the same as rates that have been approved for other providers of Inmate Services.

8. As stated previously, CPC is currently certificated to provide COPT service under the terms of the Generic COPT tariff. Because CPC is authorized to provide COPT service and has requested a waiver of the provisions of the generic tariff that conflict with its proposed Institutional COPT Tariff, Staff does not believe that approval of the proposed Institutional Telecommunications Service pursuant to A.A.C. R4-2-906 is necessary if the waiver is approved. Given that COPT service provided to inmates is subject to limitations determined by the institution's administration, Staff believes that CPC should be granted a waiver of the provisions of the generic tariff that conflict with its proposed Institutional COPT Tariff. Further Staff recommends approval of the proposed Institutional Telecommunications Service.

CONCLUSIONS OF LAW

1. CenturyLink Public Communications, Inc. is an Arizona public service corporation within the meaning of Article XV, Section 2, of the Arizona Constitution.

2. The Commission has jurisdiction over the CenturyLink Public Communications, Inc. and over the subject matter of the Application.

3. The Commission, having reviewed the application and Staff's Memorandum dated May 28, 2014, concludes that it is in the public interest to approve the tariff filing, as amended, and CenturyLink Public Communications, Inc.'s request for a waiver of the provisions of the generic tariff that conflict with its proposed Institutional COPT Tariff.

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ORDER

IT IS THEREFORE ORDERED the tariff filing, as amended, be and hereby is approved.

IT IS FURTHER ORDERED the CenturyLink Public Communications, Inc.'s request for a waiver of the provisions of the generic tariff that conflict with its proposed Institutional COPT Tariff be and hereby is approved.

IT IS FURTHER ORDERED that this Order shall become effective immediately.

BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION
CHAIRMAN
COMMISSIONER
COMMISSIONER
COMMISSIONER
COMMISSIONER

IN WITNESS WHEREOF, I, JODI JERICH, Executive Director of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this 20th day of June, 2014.


JODI JERICH
EXECUTIVE DIRECTOR

DISSENT: _____

DISSENT: _____

SMO:WMS:red/ML

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